

House File 49 - Introduced

HOUSE FILE _____
BY ZIRKELBACH

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the right of a crime victim to be present at
2 public court proceedings.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1091HH 83
5 rh/rj/5

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1 1 Section 1. NEW SECTION. 915.12A RIGHT TO BE PRESENT AT
1 2 PUBLIC COURT PROCEEDINGS.
1 3 A victim has the right to be present at all public court
1 4 proceedings where the defendant has a right to be present with
1 5 regard to any criminal case relating to the crime for which
1 6 the victim is registered, unless the victim is to testify and
1 7 the court determines that the victim's testimony would be
1 8 materially affected if the victim hears other testimony at
1 9 trial.
1 10 Sec. 2. Section 915.13, subsection 1, paragraph a, Code
1 11 2009, is amended to read as follows:
1 12 a. The scheduled date, time, and place of ~~trial~~ any public
1 13 proceeding where the defendant has a right to be present, and
1 14 the cancellation or postponement of a court proceeding that
1 15 was expected to require the victim's attendance, in any
1 16 criminal case relating to the crime for which the person is a
1 17 registered victim.

EXPLANATION

1 18
1 19 This bill amends Code chapter 915 to provide an express
1 20 right for a crime victim to be present at all public court
1 21 proceedings where the defendant has a right to be present with
1 22 regard to any criminal case relating to the crime for which
1 23 the victim is registered. An exception is provided relating
1 24 to sequestration of the victim as a witness. The bill also
1 25 requires the county attorney to notify a victim registered
1 26 with the county attorney's office pursuant to Code section
1 27 915.12 of the scheduled date, time, and place of any public
1 28 proceeding where the defendant has a right to be present.
1 29 LSB 1091HH 83
1 30 rh/rj/5